

REMARKS

The claims in the application are 1-20 and Claim 21 added by the present amendment.

Favorable reconsideration of the application as amended is respectfully requested.

Dependency of Claim 8 has been changed to eliminate the formal rejection under 35 U.S.C. §112, second paragraph, raised on page 2 of the Office Action. Additionally, it is respectfully requested receipt of the certified copy of the priority Swedish application be properly acknowledged upon the next official communication from the Patent and Trademark Office. The amendment to independent Claim 1 and new Claim 21 find clear support throughout the present application and drawings, e.g., Figs. 6 and 7 and page 9, lines 28-35 of the specification.

Claims 1-8 and 13-20 have been rejected under 35 U.S.C. §102 as being anticipated by EP 1081292 (cited in the International Search Report) while Claims 1-10 and 13-20 have been rejected under 35 U.S.C. §102 as being anticipated by U.S. Pat. No. 5,257,177 to Bach et al (also cited in the International Search Report). Claims 9 and 10 have been rejected under 35 U.S.C. §103 as obvious over EP 1081292 in view of U.S. Pat. Pub. No. 2003/0231946 to Heiple while Claims 11 and 12 have been rejected under 35 U.S.C. §103 as obvious over EP 1081292 in view of GB 2264689 (also cited in the International Search Report).

However, it is respectfully submitted the present invention as recited in all pending claims herein is patentable over the applied art, for the following reasons (reference will be made to preferred embodiments of the present invention illustrated in the drawings of the present application).

The present invention improves moving loads L such as cargo in limited space area, e.g., in storerooms, by providing for transport of the load L situated directly above the vehicle 1, i.e., the driver's seat F. The load L, i.e., tool 5 carrying the same, can be securely positioned directly over the vehicle by lifting the load L and tool 5 with an arm 4 secured to the tool 5 and pivotally mounted upon the vehicle 1 by, among other movement, pivoting the arm 4 through or past a position in which the arm 4 extends vertically. Figs. 1-5 of the present application illustrate, e.g., positioning of arm 4 to one side of its upward vertical extension while Figs. 6 and 7 illustrate position of arm 4 to the opposite side of its upward vertical extension and with the tool 5 and load L situated directly above the vehicle 1 and driver's seat F.

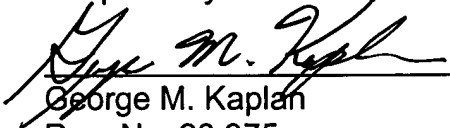
Since the load L can be positioned directly over or straight above the vehicle 1, i.e., over the driver's seat F, horizontal space requirements can be minimized when moving the vehicle 1, with or without a load L. Furthermore, the load L is kept out of the line of sight of a driver of the vehicle 1 in all directions, enhancing safety especially when moving the load L in greatly restricted locations such as storerooms. Moreover, storage efficiency in such storerooms is enhanced because closer positioning of loads upon shelves can be attained, together with the concomitant improvement in loading and unloading of the goods with such shelves.

EP 1081292 and Bach et al fail to show or suggest such claimed arrangement together with the accompanying advantages attained thereby, while GB 2264689 and Heiple fail to add anything to EP 1081292 and Bach et al which would render obvious the claimed invention. The remaining art of record has not been applied against the claims and will not be commented upon further at this time.

Accordingly, in view of the forgoing amendment and accompanying remarks, it is respectfully submitted all claims pending herein are in condition for allowance. Please contact the undersigned attorney should there be any questions. A Petition for an automatic two month extension of time for response under 37 C.F.R. §1.136(a) is enclosed in triplicate, together with the petition fee and fee for additional claims.

Early favorable action is earnestly solicited.

Respectfully submitted,


George M. Kaplan
Reg. No. 28,375
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP

333 Earle Ovington Blvd.

Uniondale, New York 11553

Phone: 516-228-8484

Facsimile: 516-228-8516